

Monroe County Board of Supervisors

10 BENTON AVENUE EAST
ALBIA, IOWA 52531-1943

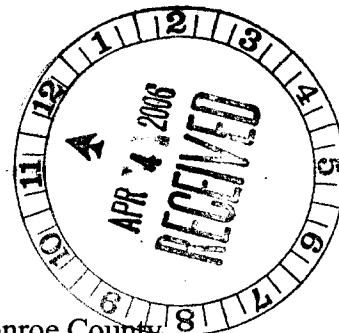
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March 24, 2006

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

216188

Mr. Vernon Williams
Surface Transportation Board
1925 "K" Street, NW
Washington, DC 20423-0001



RE: Docket No. AB-33 (SUB-NO. 153X) – Union
Pacific Railroad Company – Abandonment Exemption – Monroe County
Iowa (Oskaloosa Subdivision between Eddyville, Iowa and Maxon, Iowa)

Dear Mr. Williams:

The UP filed for abandonment on May 15, 2000. Since that time, at least ten 180 day extensions have been granted to the Iowa Trails Council to "complete negotiations" to acquire the ROW for conversion to a trail. This is nearly 6 years and all that we have seen is continued deterioration of fences, abuse of drainage laws and continued refusal to attend to issues of safety.

Monroe County continues to be concerned about the proceedings regarding the abandonment of the Eddyville to Maxon segment of the UP, Docket No. AB-33 (Sub No. 153X). As we read the "Rail Banking Law" it appears that the organization requesting the ROW "is prepared to assume full responsibility for management of such rights-of-way and for legal liability arising out of such transfer or use, and for payment of any and all taxes that may be levied or assessed against such rights-of-way, then the Board shall impose such terms and conditions as a requirement of any transfer or conveyance for interim use in a manner consistent with this chapter, and shall not permit..." and according to the original Docket (P8): "3. interim trail use/rail banking is subject to the future restoration of rail service and to the user's continuing to meet the financial obligations for the right-of-way."


As stewards of Monroe County's affairs, we are concerned that our citizens have been delayed, time after time, from putting this land back into production. We understand that the STB is required to allow the transfer to a "qualified" organization; however, we believe it is reasonable to request that Iowa Trail Council produce their plan of management and financing the ROW, as required by the Rails-to-Trails Act. We request their plan for financing the development, maintenance, taxes, and other liabilities such as fencing and control of noxious weeds.

We also would ask for a clarification of the time limits for this process to be completed.

It also appears that the request for extension granted November 12, 2004, missed the deadline by nearly 1 month. According to the original decision, dated September 1, 2000, "if no agreement is reached within the 180 days, UP may fully abandon the line..."

Please advise us as to the basis for further extensions.

Sincerely,

A handwritten signature in black ink that reads "Paul V. Koffman". The signature is written in a cursive, flowing style.

Paul V. Koffman, Chairman
Monroe County Board of Supervisors

Cc: Congressman Leonard Boswell, U.S. Representative
Mr. Steven Goodlow, Monroe County Attorney
Tom F. Neenan, Iowa Trails Council
Mike Payette, UPRR